

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

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4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 vs.

7 BRIAN WRIGHT,

8 Defendant.

2:14-cr-00357-APG-VCF  
**ORDER**

9 Before the court are Brian Wright's Motion to Vacate the Order to Continue Evidentiary Hearing,  
10 ECF No. 455, and Mr. Wright's Motion for Recusal of Judge, ECF No. 456. The Government filed a  
11 single Response to both motions, ECF. No. 457. The time to file a reply has expired.

12 As Mr. Wright is represented by counsel, who did not file these motions, the court need not  
13 consider their merits and they may be stricken. LR IA 11-6(a). In this case, however, I will address the  
14 merits.

15 In light of the COVID-19 pandemic, the CARES Act, effective March 27, 2020, and the findings  
16 of the Judicial Conference of the United States entered on March 29, 2020, emergency conditions currently  
17 exist which materially affect the functioning of the courts. No jury trials are being scheduled. Evidentiary  
18 hearings requiring the physical presence of parties, counsel and witnesses in the courtroom are not being  
19 held. In civil cases oral arguments are being conducted by telephone conference, and certain criminal  
20 proceedings are being held by video conference.

21 Accordingly, the court must vacate the evidentiary hearing scheduled in this case until after the  
22 functioning of this court returns to a state of normalcy which permits the holding of evidentiary hearings.  
23 Because of these developments, Mr. Wright's Motion to Vacate the Order to Continue Evidentiary  
24 Hearing, ECF No. 455, will be denied as moot.

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1 Mr. Wright's Motion for Recusal lacks factual or legal support. I have no personal bias against  
2 Mr. Wright, and I have based my rulings in this case on the law and the facts, to the best of my ability.

3 IT IS HEREBY ORDERED that the Motion to Vacate the Order to Continue Evidentiary Hearing,  
4 ECF No. 455, is DENIED, as moot.

5 IT IS FURTHER ORDERED that the evidentiary hearing set for June 1, 2020 at 10:00 AM is  
6 VACATED, to be rescheduled after the easing of COVID-19 restriction to the point where in person  
7 evidentiary hearings may be held in this courthouse.

8 IT IS FURTHER ORDERED that the Motion for Recusal of Judge, ECF No. 456, is DENIED.

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10 DATED this 20th day of April, 2020.



11 CAM FERENBACH  
12 UNITED STATES MAGISTRATE JUDGE  
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